

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

WEDNESDAY, THE 17TH JANUARY 2007 / 27TH PAUSHA 1928

RP.No. 1155 of 2006(D)

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AGAINST THE JUDGEMENT/ORDER IN WPC.26287/2006
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REVIEW PETITIONER/PETITIONER IN THE WRIT PETITION:

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THOMAS, S/O. ITTIAVIRAH,
AGED 58, PULIMOOTTIL HOUSE, MEENADAM, KOTTAYAM.**

BY ADV. SRI.C.S.MANILAL

RESPONDENTS: RESPONDENTS:

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1. THE DISTRICT COLLECTOR, KOTTAYAM.**

**2. THE REVENUE DIVISIONAL OFFICER,
KOTTAYAM.**

**3. THE VILLAGE OFFICER,
MEENADAM VILLAGE, KOTTAYAM DISTRICT.**

BY GOVERNMENT PLEADER

**THIS REVIEW PETITION HAVING COME UP FOR ADMISSION
ON 17/01/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

C.N.RAMACHANDRAN NAIR, J.

R.P.No.1155 OF 2006

Dated this the 17th day of January, 2007

O R D E R

Review petition is filed on the ground that the law referred to in the judgment is not the one under which Revenue Divisional Officer has to consider the matter. Petitioner proposed to start a piggery in his land which the Village Officer prohibited. This court directed the Revenue Divisional Officer to consider the matter and pass appropriate orders. However, it was wrongly mentioned that the matter has to be considered under the Land Conservancy Act which is not applicable in this case. If the piggery causes public nuisance, the Revenue Divisional Officer is certainly entitled to prevent it. Similarly, if there is conversion of land in violation of land utilisation order he is the authority to consider the same. In such circumstances, review petition is disposed of with a direction to the Revenue Divisional Officer to consider nuisance value of the piggery if any, and violation of land utilisation order and pass orders.

**(C.N.RAMACHANDRAN NAIR,
JUDGE)**

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